



**AGENDA
SCOTT COUNTY
BOARD OF COMMISSIONERS
SHAKOPEE, MINNESOTA
MAY 5, 2020**

9:00 a.m.

(1) CONVENE COUNTY BOARD

(2) AMENDMENTS TO THE AGENDA

(3) APPROVE MINUTES OF APRIL 21, 2020 COUNTY BOARD MEETING

(4) RECOGNITION OF INTERESTED CITIZENS

Limited to items not on the agenda, and five minutes per person/subject. Speakers are asked to approach the microphone for the benefit of viewers and interested citizens.

(5) CONSENT AGENDA

Empowerment: We will work with individuals and families to affirm strengths, develop skills, restore hope, and promote self-reliance

5.1 Adopt Resolution No. 2020-086; Confirming May 7, 2020 as National Day of Prayer in Scott County *(No fiscal impact)*

Stewardship: We will work proactively to make investments, guided by resident input, which will transform lives, communities, and government

5.2 Adopt Resolution No. 2020-079; Authorizing Entering Into a Cooperative Agreement With the City of Shakopee for Operation Maintenance and Repair of the Event Traffic Management System *(No fiscal impact)*

5.3 Adopt Resolution No. 2020-081; Rejecting All Bids for the Workforce Development Center Roof Replacement Project *(No fiscal impact)*

5.4 Adopt Resolution No. 2020-082; Authorizing Submittal of a Better Utilizing Investments to Leverage Development (BUILD) Grant Application for the US Highway 169 Freight Mobility and Safety Investments in Jordan and Sand Creek Township *(No fiscal impact)*

5.5 Adopt Resolution No. 2020-083; Authorizing Submittal of Transportation Projects to the Transportation Advisory Board for Consideration in the 2020 Regional Solicitation Process *(No fiscal impact)*

Collaboration: We will work with partners - communities, schools, faith groups, private business, and non-profit agencies - to see that services are not duplicated but rather are complimentary, aligned, and provided by the partners who can deliver the service most effectively

5.6 Adopt Resolution No. 2020-080; Approving the City of Elko New Market 2040 Comprehensive Surface Water Management Plan, December 2019 *(No fiscal impact)*

5.7 Adopt Resolution No. 2020-087; Authorizing Entering Into a Three-Party Right-of-Way Contribution Agreement With Canterbury Park Entertainment LLC, the City of Shakopee, and Scott County to Facilitate Right-of-Way Needs for the County Highway 83 Modernization Project *(No fiscal impact)*

CONSENT AGENDA CONTINUED:

Customer Service: We will deliver government services in a respectful, responsive, and solution-oriented manner

5.8 Approve an Amendment to the Master Service Agreement With Goosebusters, Inc. for Dr. Michael R. Wilcox, M.D. to Establish a Jail Nursing Contingency Plan (*Unknown*)

5.9 Adopt Resolution No. 2020-085; Recognizing the Financial Impact of the COVID-19 Pandemic and Update to the County's Financial Policy to Include Modifications for Abatements of Property Tax, Penalty, and Interest and Rescinding Resolutions No. 94064, 2001-005, and 2008-146 and All Other Prior Policies Not Identified and Disavow All Informal Procedures in Place Up to the Current Act (*Unknown*)

5.10 Approve Payroll Processing of Personnel Actions (*No fiscal impact*)

(6) CUSTOMER SERVICE: WE WILL DELIVER GOVERNMENT SERVICES IN A RESPECTFUL, RESPONSIVE, AND SOLUTION-ORIENTED MANNER

6.1 Receive an Informational Update on the Operational Service Plans for County Operations During the COVID-19 Pandemic and Opening of County Buildings

(7) COMMITTEE REPORTS AND COMMISSIONER UPDATES

(8) COUNTY ADMINISTRATOR UPDATE

(9) RECESS FOR ATTORNEY/CLIENT MEETING

(10) ADJOURN

FOLLOWING THE MEETING THE COUNTY BOARD WILL MEET IN A WORKSHOP SETTING TO RECEIVE INFORMATION ON:

- **COMMUNITY DEVELOPMENT AGENCY ELKO NEW MARKET INFRASTRUCTURE PROJECT**
- **2019 YEAR END FINANCIAL UPDATE**
- **2020 FIRST QUARTER FINANCIAL UPDATE**

UPCOMING MEETINGS

May 19, 2020	9:00 a.m. County Board Meeting
June 2, 2020	9:00 a.m. County Board Meeting

**Lezlie A. Vermillion
County Administrator
(952) 496-8100**

MINUTES
BOARD OF COMMISSIONERS
COUNTY OF SCOTT
APRIL 21, 2020

(1) The Board of Commissioners, in and for the County of Scott, Minnesota, met in the Courthouse Board Room in the City of Shakopee, Minnesota, and convened at 9:00 a.m., with the following members present: Commissioner Beer, presiding, Commissioner Weckman Brekke, Commissioner Wolf, and Commissioner Beard. Commissioner Ulrich participated via phone. Chair Beer announced all votes will be by roll call vote.

(2) County Staff Present:
A. Lezlie Vermillion, County Administrator
B. Ron Hocevar, County Attorney
C. Scott Haas, Sheriff's Captain
D. Lisa Brodsky, Public Health Director
E. Tony Winiecki, County Engineer
F. Theresa Fouch, Public Health Data Planner
G. Debra Brazil, Deputy Clerk to the Board

(3) Guests Present:
A. Dr. Michael Wilcox, Scott County Medical Director
B. John Myser

(4) Minutes:

On a motion by Commissioner Weckman Brekke, seconded by Commissioner Wolf, the Minutes of April 7, 2020 were approved on a roll call vote.

(5) Recognition of Interested Citizens:

John Myser spoke of his perception of elected officials' duties and the legalities of suspending a driver's license. He also requested a copy of the County's liability policy as it pertains to torts.

(6) Consent Agenda:

A. On the recommendation of the Credit River Town Board and the Planning Advisory Commission, Commissioner Wolf moved, seconded by Commissioner Weckman Brekke to approve the request for final plat of Crescent Curve (Crescent Curve, LLC applicant and property owner) consisting of 23 lots on 85.89 acres in Sections 27 and 34 of Credit River Township and Three-Way (Developer, Township, and County) Development Agreement. The motion carried unanimously on a roll call vote.

B. On the recommendation of the Credit River Town Board and the Planning Advisory Commission, Commissioner Wolf moved, seconded by Commissioner Weckman Brekke to approve the Conservation Easements of Maggie Lane Farm (Clarence Van Zee, applicant and Van Zee Living Trust, property owner) a subdivision consisting of 3 lots of 51.33 acres in Section 27 of Credit River Township. The motion carried unanimously on a roll call vote.

C. Commissioner Wolf moved, seconded by Commissioner Weckman Brekke to approve the purchase of two laptop-based 800 MHz radio consoles for continuity of operations. The motion carried unanimously on a roll call vote.

D. On the recommendation of the County Administrator, Commissioner Wolf moved, seconded by Commissioner Weckman Brekke to approve the payroll processing of personnel actions indicated below and certified by the Employee Relations Director and the Appointing Authority to be in compliance with provisions of Minnesota Statutes 375.56 - 375.71 and the Scott County Merit Personnel System:

1. Separation of employment for Gina Young, FT Therapist, Health and Human Services Division, effective 04/24/20.
2. FT Probationary employment of Jeffrey Strack, Sheriff's Deputy, Sheriff's Office, effective 04/27/20.
3. FT Probationary employment of Carter Lanenberg, Corrections Officer, Sheriff's Office, effective 04/20/20.
4. Change in status for Beth Hubbard, FT to PT Permanent (80% FTE) Therapist, Health and Human Services Division, effective 3/23/20.

The motion carried unanimously on a roll call vote.

E. Commissioner Wolf moved, seconded by Commissioner Weckman Brekke to adopt Resolution No. 2020-071; Authorizing Entering Into Cooperative Agreements With Cedar Lake, Jackson, Louisville, and Helena Townships for Their Participation in the 2020 Sealcoat Project. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried unanimously on a roll call vote.

F. Commissioner Wolf moved, seconded by Commissioner Weckman Brekke to adopt Resolution No. 2020-072; Authorizing the Submittal and Acceptance of the Minnesota Trail Assistance Grant Program Application for Scott County Sno-Trials, Inc. for the 2020-2021 Snow Season. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried unanimously on a roll call vote.

G. Commissioner Wolf moved, seconded by Commissioner Weckman Brekke to adopt Resolution No. 2020-074; Approving Entering Into an Agreement With the Minnesota Pollution Control Agency for the 2020 Local Recycling Development Grant. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried unanimously on a roll call vote.

H. Commissioner Wolf moved, seconded by Commissioner Weckman Brekke to adopt Resolution No. 2020-073; Approving the Findings of Fact and Conclusions for the Jordan Interchange Environmental Assessment Worksheet and Negative Declaration on the Need for an Environment Impact Statement. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried unanimously on a roll call vote.

I. Commissioner Wolf moved, seconded by Commissioner Weckman Brekke to adopt Resolution No. 2020-076; Awarding a Contract to Asphalt Surface Technologies Corp. for the 2020 County Sealcoat Project. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried unanimously on a roll call vote.

J. Commissioner Wolf moved, seconded by Commissioner Weckman Brekke to adopt Resolution No. 2020-077; Awarding a Construction Contract to MP Asphalt Maintenance Inc. for the 2020 Trail Sealcoat Project. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried unanimously on a roll call vote.

K. Commissioner Wolf moved, seconded by Commissioner Weckman Brekke to approve the record of disbursements and approve claims made to Scott County March 1, 2020 through March 31, 2020 in the total of \$12,732,189.18. The motion carried unanimously on a roll call vote.

(7) Communication: We will always be clear about what we're doing and why we're doing it:

Sheriff's Captain Scott Haas, Public Health Director Lisa Brodsky, Public Health Data Planner Theresa Fouch, and Scott County Medical Director Dr. Michael Wilcox provided a COVID-19 update. It was reported the Scott County Emergency Operations Center has been scaled down and is currently operating in a monitoring capacity.

The Commissioners requested that as much context as possible be given and common language be used when presenting COVID-19 data.

(8) Stewardship: We will work proactively to make investments, guided by resident input, which will transform lives, communities, and government:

County Engineer Tony Winiecki presented a request to amend the 2020-2029 Transportation Improvement Program (TIP) to add County Project 21-36 to install a traffic signal system at the County Highway (CH) 21/CH 92 intersection. Mr. Winiecki reported County Highway Department staff has been monitoring the CH 21/CH 91 intersection and reviewing various long-term solutions to address operations and safety. It was demonstrated that this intersection meets warrants for signalization. Due to the extended lead time for manufacturing and delivery and to expedite the installation, staff is requesting to pre-purchase the traffic signal hardware and control equipment to furnish to the construction contractor. This process has been used on previous projects.

Commissioner Wolf moved, seconded by Commissioner Beard to adopt Resolution No. 2020-075; Approving an Amendment to the 2020-2029 Transportation Improvement Program to Add County Project 21-36 to Install a Traffic Signal System at the County Highway 21/County Highway 91 Intersection. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried unanimously on a roll call vote.

Mr. Winiecki provided an update on current road construction projects in Scott County.

(9) Committee Reports and Commissioner Updates:

- A. Commissioner Weckman Brekke attended the Jackson Town Board meeting on April 7.
- B. Commissioner Weckman Brekke participated in the Scott County Historical Society Board teleconference meeting on April 8.
- C. Commissioner Weckman Brekke participated in the Together We can Subcommittee teleconference meeting on April 9.
- D. Commissioner Weckman Brekke participated in a teleconference meeting with the Belle Plaine Mayor and City Administrator on April 14.
- E. Commissioner Weckman Brekke met with County Administrator Lezlie Vermillion on April 14.
- F. Commissioner Weckman Brekke participated in the Metropolitan Library Service Agency teleconference meeting on April 16.
- G. Commissioner Weckman Brekke spoke with Representative Angie Craig's local staff on April 16.
- H. Commissioner Weckman Brekke participated in the Dakota-Scott Workforce Development Board teleconference meeting on April 17.
- I. Commissioner Weckman Brekke participated in the National Association of Counties phone call on April 18.
- J. Commissioner Weckman Brekke participated in the Shakopee Chamber of Commerce virtual coffee hour with Senator Pratt and Representative Tabke on April 21.
- K. The Commissioners commented on the number of calls and emails they've received regarding opening up the economy.
- L. Commissioner Beard participated in the Scott-Carver-Dakota Community Action Program Finance Committee teleconference meeting on April 7.
- M. Commissioner Beard had a phone conversation with Senator Pratt on April 13.

- N. Commissioner Beard participated in the Scott-Carver-Dakota Community Action Program Board teleconference meeting on April 14.
- O. Commissioner Beard spoke of the decreased revenue from gas tax, motor vehicle sales tax, tab fees, and vehicle registrations. State aid for Scott County appears to be intact for 2020; however, 2021 may have adjustments. He also raised the concern regarding the Scott County Transportation Sales Tax.
- P. Commissioner Beard thanked the Board Chair for the email sent to all Scott County employees regarding their service during the COVID-19 pandemic.
- Q. Commissioners Ulrich and Beard participated in the Minnesota Inter-County Association teleconference meeting on April 8.
- R. Commissioner Ulrich participated in the Greater MSP teleconference meetings on April 13 and 17.
- S. Commissioner Ulrich participated in the Scott County Community Development Agency teleconference meeting on April 14. Commissioner Ulrich recommended that the Task Force working on the infrastructure project in Elko New Market give an update to the County Board in the future.
- T. Commissioner Ulrich participated in the Metropolitan Council Transportation Advisory Board teleconference meeting on April 15.
- U. Commissioner Wolf participated in the Metropolitan Emergency Services Board teleconference meeting on April 8.
- V. Commissioner Wolf participated in the I35W Solutions Alliance teleconference meeting on April 9.
- W. Commissioner Wolf participated in the Elko New Market City Council teleconference meeting on April 9.
- X. Commissioner Wolf participated in the Spring Lake Town Board teleconference meeting on April 9.
- Y. Commissioner Wolf participated in the Mural Committee teleconference meeting on April 13.
- Z. Commissioner Wolf met with the Credit River Town Board Chair on April 20 regarding a road issue.
- AA. Commissioner Wolf spoke with the Elko New Market Mayor on April 20.
- AB. Commissioner Wolf participated in the Prior Lake City Council teleconference meeting on April 20.
- AC. Commissioner Wolf participated in neighborhood meetings in Credit River Township regarding road maintenance.
- AD. Commissioner Beer visited the Esperanza food distribution site on April 11.
- AE. Commissioner Beer participated in the Association of Minnesota Counties Metro Counties conference call on April 15.
- AF. Commissioner Beer participated in the White House Inter-Governmental Affairs conference call on April 15.
- AG. The Commissioners reported having several calls with the local and federal legislative delegation and/or staff.

(10) County Administrator Update:

- Teleworking, when possible, and social distancing continue to be practiced.
- Discussions are being held on how to provide County services in a safe environment.
- The potential impact of decreased revenue on the County's budget is being reviewed.
- Several County Board approved Capital Improvement Program projects have been put on hold.
- Filling of vacancies, travel, and training have been frozen.

On a motion by Commissioner Wolf, seconded by Commissioner Weckman Brekke the meeting adjourned at 11:22 a.m.

David Beer
Chair

Lezlie A. Vermillion
County Administrator
Clerk of the Board

Debra K. Brazil
Deputy Clerk to the Board

**AGENDA #5.1
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION
MEETING DATE: MAY 5, 2020**

ORIGINATING DIVISION: ORIGINATING DEPARTMENT:	Board of Commissioners	CONSENT AGENDA:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
PRESENTER:		ATTACHMENTS:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
PROJECT:		TIME REQUESTED:	N/A
ACTION REQUESTED:	Adopt Resolution No. 2020-086; Confirming May 7, 2020 as National Day of Prayer in Scott County		
CONTRACT/POLICY/GRANT:	<input checked="" type="checkbox"/> County Attorney Review <input type="checkbox"/> Risk Management Review	FISCAL:	<input type="checkbox"/> Finance Review <input type="checkbox"/> Budget Change

ORGANIZATIONAL VALUES:

- ☐ **Customer Service:** We will deliver government services in a respectful, responsive, and solution-oriented manner
- ☐ **Communication:** We will always be clear about what we're doing and why we're doing it
- ☐ **Collaboration:** We will work with partners – communities, schools, faith groups, private business, and non-profit agencies – to see that services are not duplicated but rather are complimentary, aligned and provided by the partners who can deliver the service most effectively
- ☐ **Stewardship:** We will work proactively to make investments, guided by resident input, which will transform lives, communities, and government
- ☒ **Empowerment:** We will work with individuals and families to affirm strengths, develop skills, restore hope, and promote self-reliance
- ☐ **Resiliency:** We will foster public preparedness and respond when families and communities face health and safety emergencies
- ☐ **Innovation:** We will take informed risks to deliver services more effectively and will learn from our successes and failures

DEPARTMENT/DIVISION HEAD SIGNATURE:	COUNTY ADMINISTRATOR SIGNATURE:
Approved:	DISTRIBUTION/FILING INSTRUCTIONS:
Denied:	
Tabled:	
Other:	
Deputy Clerk :	
Date:	

Background/Justification:

The purpose of this agenda item is to adopt Resolution No. 2020-086; Confirming May 7, 2020 as National Day of Prayer in Scott County

A National Day of Prayer was first declared in 1863 by President Abraham Lincoln. In 1952 the annual observance of National Day of Prayer was established by President Harry Truman and the United States

Congress. In 1988 President Ronald Reagan and the United States Congress confirmed the National Day of Prayer to be the first Thursday in May of each year.

The National Day of Prayer affords an opportunity for individuals of different and varied spiritual and religious faiths and backgrounds an opportunity to unite for a common purpose.

Fiscal Impact:

None

**BOARD OF COUNTY COMMISSIONERS
SCOTT COUNTY, MINNESOTA**

Date:	May 5, 2020
Resolution No.:	2020-086
Motion by Commissioner:	
Seconded by Commissioner:	

RESOLUTION NO. 2020-086; CONFIRMING MAY 7, 2020 AS
NATIONAL DAY OF PRAYER IN SCOTT COUNTY

WHEREAS, a National Day of Prayer was first declared in 1863 by President Abraham Lincoln; and

WHEREAS, the annual observance of National Day of Prayer was established in 1952 by President Harry Truman and the United States Congress; and

WHEREAS, in 1988 the United States Congress and President Ronald Reagan confirmed the National Day of Prayer to be the first Thursday in May of each year; and

WHEREAS the National Day of Prayer affords an opportunity for individuals of different and varied spiritual and religious faiths and backgrounds an opportunity to unite for a common purpose; and

WHEREAS, the National Day of Prayer will be observed in Scott County on Thursday, May 7, 2020.

NOW THEREFORE BE IT PROCLAIMED, that the Board of Commissioners in and for the County of Scott, Minnesota, do hereby confirm Thursday, May 7, 2020, as National Day of Prayer in Scott County.

COMMISSIONERS	VOTE
Weckman Brekke	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Wolf	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Beard	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Beer	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Ulrich	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain

State of Minnesota)

County of Scott)

I, Lezlie A. Vermillion, duly appointed qualified County Administrator for the County of Scott, State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution with the original minutes of the proceedings of the Board of County Commissioners, Scott County, Minnesota, at their session held on the 5th day of May, 2020 now on file in my office, and have found the same to be a true and correct copy thereof. Witness my hand and official seal at Shakopee, Minnesota, this 5th day of May, 2020.

County Administrator

Administrator's Designee

AGENDA #5.2
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION
MEETING DATE: MAY 5, 2020

ORIGINATING DIVISION:	Transportation Services	CONSENT AGENDA:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ORIGINATING DEPARTMENT:	Highway-Program Delivery		
PRESENTER:	Tony Winiecki-8008	ATTACHMENTS:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
PROJECT:	TMS	TIME REQUESTED:	NA
ACTION REQUESTED:	Adopt Resolution No. 2020-079; Authorizing Entering Into a Cooperative Agreement With the City of Shakopee for Operation Maintenance and Repair of the Event Traffic Management System		
CONTRACT/POLICY/GRANT:	<input checked="" type="checkbox"/> County Attorney Review <input checked="" type="checkbox"/> Risk Management Review	FISCAL:	<input type="checkbox"/> Finance Review <input type="checkbox"/> Budget Change

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- ☐ **Innovation:** We will take informed risks to deliver services more effectively and will learn from our successes and failures

DEPARTMENT/DIVISION HEAD SIGNATURE:	COUNTY ADMINISTRATOR SIGNATURE:
Approved:	DISTRIBUTION/FILING INSTRUCTIONS:
Denied:	
Tabled:	
Other:	
Deputy Clerk :	
Date:	

Background/Justification:

The purpose of this agenda item is to adopt Resolution No. 2020-079; Authorizing Entering Into a Cooperative Agreement With the City of Shakopee for Operation Maintenance and Repair of the Event Traffic Management System

In collaboration with its agency partners, Scott County designed and constructed an event Traffic Management System (TMS) to help alleviate traffic issues during major events at Canterbury Park, Mystic Lake Casino, and

Valleyfair Amusement Park, and to inform motorists on the county/state system of traffic issues due to congestion and flooding. The TMS was constructed in 2018 and fully utilized in 2019.

The TMS, which includes 10 dynamic message boards (DMS), 5 pan/tilt/zoom cameras (PTZ), 3 nonintrusive detection devices (NID) and numerous static signs, was activated for 24 events spanning 28 days in 2019. The TMS is jointly operated by the Scott County Highway Department, the City of Shakopee Police Department, and the Minnesota Department of Transportation. These agencies work in coordination with Canterbury Park, Mystic Lake Casino, and Valleyfair Amusement Park to activate and manage the TMS during high traffic generating events.

There are significant costs associated with operating and maintaining the TMS. The TMS is hosted and operated on a software platform maintained by ITERIS. The fee for ITERIS to host and operate this software platform is approximately \$22,500 per year. Scott County has also entered into an Agreement with Egan Company to perform routine preventative maintenance and repair of the 7 DMS boards maintained by the County. This cost is approximately \$20,000 per year. In addition, there are hardware repairs that will be required for the DMS, PTZ, NIDs and static signage that comprise the TMS system. This repair cost is estimated to be \$15,000 annually.

Funding for Scott County's share of these costs is paid for out of the Highway Operations annual operating budget. The budget was amended for 2020 and assumed the cost sharing of the City of Shakopee and the Shakopee Mdewakanton Sioux Community (SMSC). In order to distribute these costs among the agency partners, the City has agreed to contribute 33% toward the cost of the TMS operation and maintenance. Scott County is seeking similar contribution from the SMSC via a separate agreement.

Fiscal Impact:
None

**BOARD OF COUNTY COMMISSIONERS
SCOTT COUNTY, MINNESOTA**

Date:	May 5, 2020
Resolution No.:	2020-079
Motion by Commissioner:	
Seconded by Commissioner:	

**RESOLUTION NO. 2020-079; AUTHORIZING ENTERING INTO A COOPERATIVE AGREEMENT
WITH THE CITY OF SHAKOPEE FOR OPERATION MAINTENANCE AND REPAIR
OF THE EVENT TRAFFIC MANAGEMENT SYSTEM**

WHEREAS, Scott County, in collaboration with its agency partners, has developed and is using a Traffic Management System (TMS) to help alleviate traffic issues during major traffic generating events; and

WHEREAS, there are significant costs to host, operate, and maintain this TMS system; and

WHEREAS, the City of Shakopee is willing to contribute 33% toward the annual cost to operate the TMS.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners in and for the County of Scott, Minnesota, that the Chairperson of the Board is authorized to enter into a Cooperative Agreement with the City of Shakopee for the annual maintenance of the event Traffic Management System.

BE IT FINALLY RESOLVED that execution of the Agreement is subject to the County Attorney's approval as to form.

COMMISSIONERS	VOTE			
Weckman Brekke	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Wolf	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Beard	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Beer	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Ulrich	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain

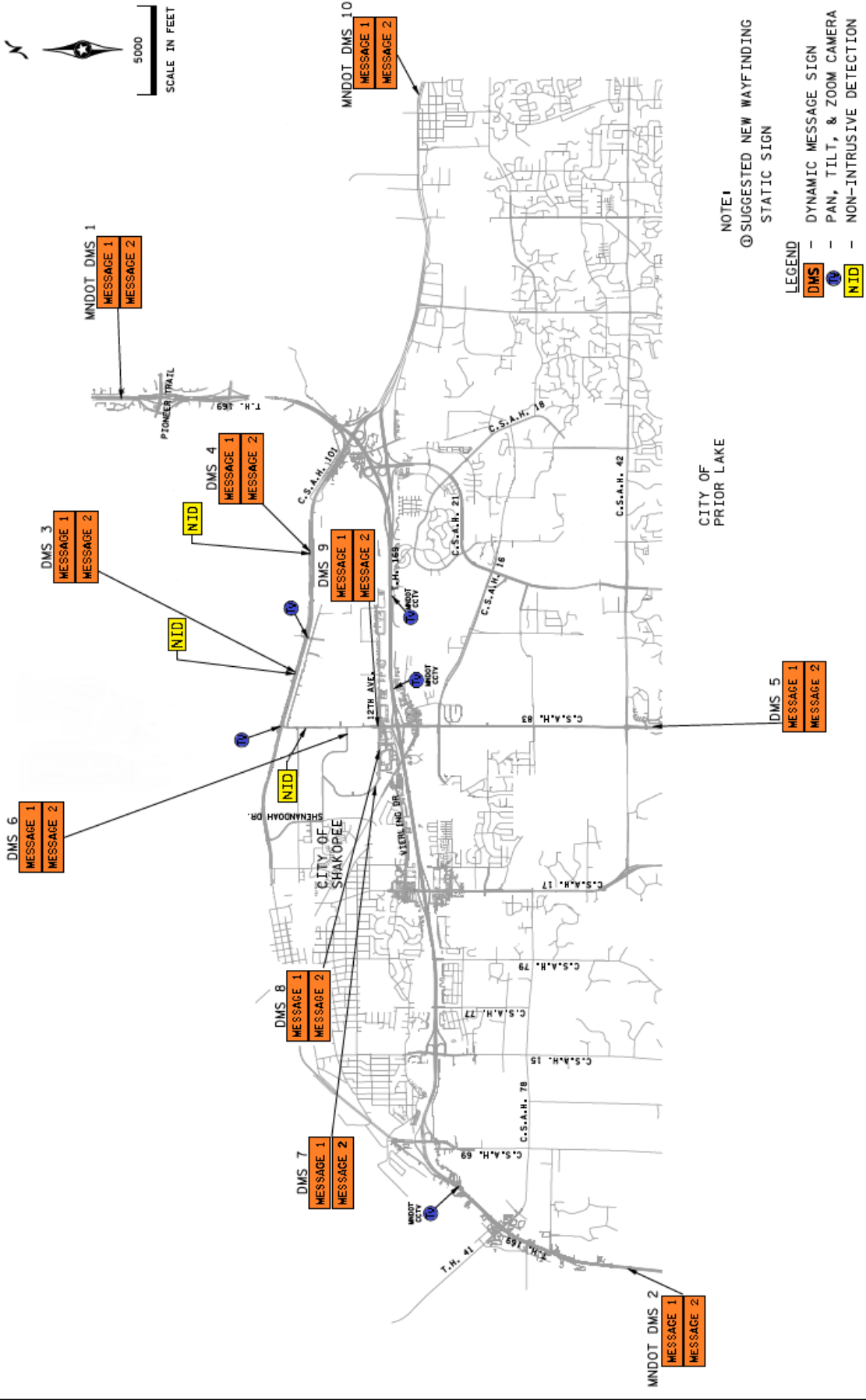
**State of Minnesota)
County of Scott)**

I, Lezlie A. Vermillion, duly appointed qualified County Administrator for the County of Scott, State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution with the original minutes of the proceedings of the Board of County Commissioners, Scott County, Minnesota, at their session held on the 5th day of May, 2020 now on file in my office, and have found the same to be a true and correct copy thereof.

Witness my hand and official seal at Shakopee, Minnesota, this 5th day of May, 2020.

County Administrator

Administrator's Designee



GENERAL LAYOUT ALL SIGNS SHOWN	GENERAL LAYOUT
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AGENDA #5.3
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION
MEETING DATE: MAY 5, 2020

ORIGINATING DIVISION:	Planning & Res. Mgmt.	CONSENT AGENDA:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ORIGINATING DEPARTMENT:	Facility Maintenance		
PRESENTER:	Joe Wiita - 8063	ATTACHMENTS:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
PROJECT:	Roof Replacement Project	TIME REQUESTED:	N/A
ACTION REQUESTED:	Adopt Resolution No. 2020-081; Rejecting All Bids for the Workforce Development Center Roof Replacement Project		
CONTRACT/POLICY/GRANT:	<input type="checkbox"/> County Attorney Review <input type="checkbox"/> Risk Management Review	FISCAL:	<input type="checkbox"/> Finance Review <input type="checkbox"/> Budget Change

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DEPARTMENT/DIVISION HEAD SIGNATURE:	COUNTY ADMINISTRATOR SIGNATURE:
Approved:	DISTRIBUTION/FILING INSTRUCTIONS:
Denied:	
Tabled:	
Other:	
Deputy Clerk :	
Date:	

Background/Justification:

The purpose of this agenda item is to adopt Resolution No. 2020-081; Rejecting All Bids for the Workforce Development Center Roof (WFDC) Replacement Project.

The WFDC roof was installed in 1999, with a life expectancy rating of 20 years. For this particular type of roof, minimum maintenance is typically required, and can be installed in one piece eliminating the problems associated with parting joints that cause leaks and other common problems associated with flat roofs. This

building in particular has experienced various leaks. Replacing this roof in a timely manner will reduce the number of repairs, thereby reducing maintenance costs. In addition, a new roof warranty will cover the cost of any major issues in the future.

The project was advertised for bids and a bid opening was held on April 2, 2020. Ten bids were received.

Bidder	Base Bid	Add/Deduct	<u>Alternate (new rock on roof)</u>
Ballman Roofing	\$345,000.00	Add	\$45,000.00
Jackson & Associates	\$367,00.00	Add	\$35,000.00
BL Dalsin Roofing	\$386,784.00	Add	\$15,802.00
S.G.O Roofing and Construction LLC	\$418,865.00	Add	\$13,889.00
Commercial Roofing and Sheet Metal	\$425,600.00	N/A	N/A
Palmer West Construction Company Inc	\$439,200.00	Add	\$16,800.00
Central Roofing Company	\$443,287.00	Add	\$12,000.00
Nieman Roofing Co.	\$445,000.00	Add	\$15,750.00
McPhillips Bros Roofing	\$496,000.00	Add	\$25,000.00
Mint Roofing Inc	\$668,000.00	N/A	N/A

The two co-owners / tenants in the building have determined they need to further evaluate the future occupancy of the building in order to make a fiscally responsible decision regarding the roof replacement. There currently aren't any existing leaks and County staff believes if any were to occur in the next year, they would be very minimal to repair with minimal expense.

The 2020 Capital Improvement Program (CIP) WFDC Roof Replacement project is being moved from the 2020 CIP to the 2021 CIP. The project will be reviewed again late 2020, to identify any changes that may have occurred since the April 2020 meeting.

Fiscal Impact:

None

**BOARD OF COUNTY COMMISSIONERS
SCOTT COUNTY, MINNESOTA**

Date:	May 5, 2020
Resolution No.:	2020-081
Motion by Commissioner:	
Seconded by Commissioner:	

**RESOLUTION NO. 2020-081; REJECTING ALL BIDS FOR THE WORKFORCE
DEVELOPMENT CENTER ROOF REPLACEMENT PROJECT**

WHEREAS, the County was seeking to enter into an Agreement for the needed provision of the Workforce Development Center (WFDC) roof replacement project; and

WHEREAS, the project was advertised for bids and bids were due on April 2, 2020; and

WHEREAS, the two co-owners / tenants in the building have determined they need to further evaluate the future occupancy of the building in order to make a fiscally responsible decision regarding the roof replacement;

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners in and for the County of Scott, Minnesota, that the Chairperson of the Board is authorized to reject all bids that were submitted for the Workforce Development Center roof replacement project.

COMMISSIONERS	VOTE			
Weckman Brekke	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Wolf	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Beard	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Beer	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Ulrich	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain

**State of Minnesota)
County of Scott)**

I, Lezlie A. Vermillion, duly appointed qualified County Administrator for the County of Scott, State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution with the original minutes of the proceedings of the Board of County Commissioners, Scott County, Minnesota, at their session held on the 5th day of May, 2020 now on file in my office, and have found the same to be a true and correct copy thereof. Witness my hand and official seal at Shakopee, Minnesota, this 5th day of May, 2020.

County Administrator

Administrator's Designee

AGENDA #5.4
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION
MEETING DATE: MAY 5, 2020

ORIGINATING DIVISION:	Transportation Services	CONSENT AGENDA:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ORIGINATING DEPARTMENT:	Program Delivery		
PRESENTER:	Lisa Freese—8363	ATTACHMENTS:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
PROJECT:	CP 09-01 and CPT169-13	TIME REQUESTED:	N/A
ACTION REQUESTED:	Adopt Resolution No. 2020-082; Authorizing Submittal of a Better Utilizing Investments to Leverage Development (BUILD) Grant Application for the US Highway 169 Freight Mobility and Safety Investments in Jordan and Sand Creek Township		
CONTRACT/POLICY/GRANT:	<input type="checkbox"/> County Attorney Review <input type="checkbox"/> Risk Management Review	FISCAL:	<input type="checkbox"/> Finance Review <input type="checkbox"/> Budget Change

ORGANIZATIONAL VALUES:

- ☐ **Customer Service:** We will deliver government services in a respectful, responsive, and solution-oriented manner
- ☐ **Communication:** We will always be clear about what we're doing and why we're doing it
- ☒ **Collaboration:** We will work with partners – communities, schools, faith groups, private business, and non-profit agencies – to see that services are not duplicated but rather are complimentary, aligned and provided by the partners who can deliver the service most effectively
- ☒ **Stewardship:** We will work proactively to make investments, guided by resident input, which will transform lives, communities, and government
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- ☐ **Innovation:** We will take informed risks to deliver services more effectively and will learn from our successes and failures

DEPARTMENT/DIVISION HEAD SIGNATURE:	COUNTY ADMINISTRATOR SIGNATURE:
Approved:	DISTRIBUTION/FILING INSTRUCTIONS:
Denied:	
Tabled:	
Other:	
Deputy Clerk :	
Date:	

Background/Justification:

The purpose of this agenda item is to adopt Resolution No. 2020-082; Authorizing Submittal of a Better Utilizing Investments to Leverage Development (BUILD) Grant Application for the US Highway 169 Freight Mobility and Safety Investments in Jordan and Sand Creek Township.

The US Department of Transportation has released a solicitation for transportation projects across the country under the second round of the BUILD discretionary grant program. Availability of \$1 billion for this competitive grant program has been set in the fiscal year 2020 Appropriations Act. BUILD focuses on projects that will have a significant local or regional impact that emphasize improved access to reliable, safe, and affordable transportation for communities in rural areas. The BUILD Grant Application is due on May 18th.

US Highway 169 is a Principal Arterial on an interregional corridor that serves as a key freight connection between southern Minnesota, including Mankato, and the Twin Cities metro area, including the Ports of Savage. The signal in Jordan at Trunk Highway (TH) 282 and County Highway (CH) 9 is the last signalized intersection on US 169 in Scott County. CH 9 provides a Minnesota River crossing connection to Carver County.

The proposed BUILD Grant project is intended to improve mobility for freight and regional traffic on US 169 and improve reliable and safe access to US 169 for residents of Jordan and Sand Creek Township. The proposed project will construct an interchange at the existing at-grade intersection of US 169 and TH 282/CH 9 and construct a grade separation of the rail crossing on CH 9 in the City of Jordan. The project will also construct a trail connecting concentrated residential areas north of US 169 to the City of Jordan trail system. In Sand Creek Township, the project will construct an overpass across US 169 and the UP-Rail line connecting Berkshire Avenue and Jordan Avenue between 173rd Street and 166th Street and construct a southbound acceleration lane from 173rd Street onto US 169. The project would also include various turn lane and access modifications; median closures at Bluff and 166th on US 169; disconnecting Jordan Avenue from US 169 and extending the road south to connect to 173rd Street; and upgrading the gravel portion of Valley View Drive to a paved road in the Township.

Sand Creek Township has numerous industrial businesses that utilize Bluff Drive as their main access for customers and freight on and off US 169. There have been crashes in this area over the years and the removal of signals in the corridor may further reduce the gaps available for vehicles to make left turns onto US 169. Sand Creek Township conducted a grass roots study effort in 2018 to look at phased improvements needed to serve the businesses around Bluff Drive. The Minnesota Department of Transportation (MnDOT) has offered to fund the extension of Berkshire Ave to Bluff Drive and an acceleration lane from Bluff Drive to northbound US 169 as a Highway Safety Improvement Project (HSIP) in 2022. The Sand Creek project elements included the BUILD Application would complement and enhance those 2022 HSIP improvements.

Fiscal Impact:

The proposed project is not included in the adopted Transportation Improvement Program (TIP). It is anticipated that if the project is selected, it will be added in the next TIP update. The federal grant requires a minimum 20 percent local match for the project. If funding is secured, the funding match obligations will be identified in the annual update of the County's TIP. Remaining funds are anticipated to come from multiple sources including State, County, and City funds, including Transportation Sales Tax funds.

**BOARD OF COUNTY COMMISSIONERS
SCOTT COUNTY, MINNESOTA**

Date:	May 5, 2020
Resolution No.:	2020-082
Motion by Commissioner:	
Seconded by Commissioner:	

**RESOLUTION NO.2020-082; AUTHORIZING SUBMITTAL OF A BETTER UTILIZING INVESTMENTS TO
LEVERAGE DEVELOPMENT GRANT APPLICATION FOR THE US HIGHWAY 169 FREIGHT MOBILITY
AND SAFETY INVESTMENTS IN JORDAN AND SAND CREEK TOWNSHIP**

WHEREAS, US Highway 169 serves a critical role in connecting the greater Mankato area to Twin Cities markets and the Ports of Savage, and has been designated a High Priority Interregional Corridor while also being placed on the National Highway System; and

WHEREAS, the US Department of Transportation is soliciting projects as part of the Better Utilizing Investments to Leverage Development (BUILD) funding; and

WHEREAS, BUILD focuses on projects that will have a significant local or regional impact that emphasize improved access to reliable, safe, and affordable transportation for communities in rural areas; and

WHEREAS, the proposed project will remove a signal on US Highway 169 by constructing an interchange and will provide improved pedestrian and bike access to the residents of Jordan; and

WHEREAS, the proposed project will also construct an overpass of US Highway 169 in Sand Creek Township south of Bluff Drive and other associated improvements to the local and state system to provide a safe crossing and access to US Highway 169 for businesses and residents; and

WHEREAS, local partners including the US Highway 169 Corridor Coalition have identified the US Highway 169/Trunk Highway 282/County Highway 9 interchange and the overpass near Bluff Drive as significant transportation investments to support commerce and economic growth in Scott County, between the Twin Cities and southern Minnesota including the Mankato area.

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners in and for the County of Scott, Minnesota, hereby authorizes submittal of the BUILD Grant Application for the US 169 Freight Mobility and Safety Investments in Jordan and Sand Creek Township.

BE IT FURTHER RESOLVED that the Board of Commissioners in and for the County of Scott requests the US Secretary of Transportation to give this BUILD Grant application due consideration.

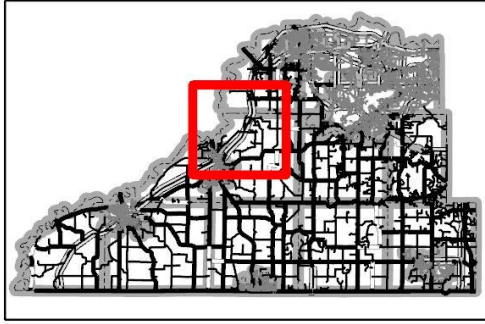
COMMISSIONERS	VOTE
Weckman Brekke	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Wolf	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Beard	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Beer	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Ulrich	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain

State of Minnesota)
County of Scott)

I, Lezlie A. Vermillion, duly appointed qualified County Administrator for the County of Scott, State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution with the original minutes of the proceedings of the Board of County Commissioners, Scott County, Minnesota, at their session held on the 5th day of May, 2020 now on file in my office, and have found the same to be a true and correct copy thereof.
Witness my hand and official seal at Shakopee, Minnesota, this 5th day of May, 2020.

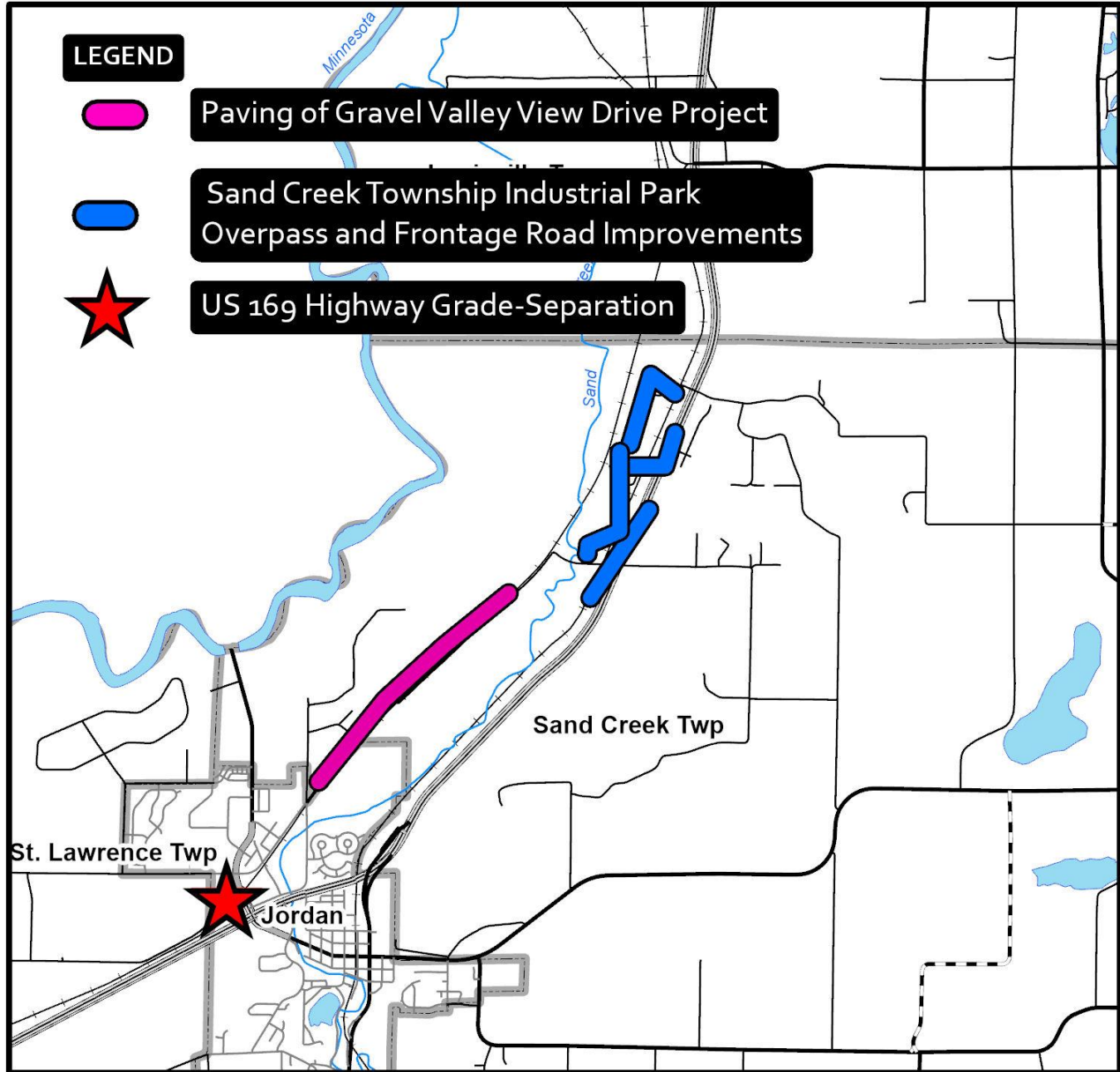
County Administrator

Administrator's Designee



SCOTT COUNTY

2020 RBA
BUILD Grant Application



This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices, and other sources affecting the area shown, and is to be used for reference purposes only. Scott County is not responsible for any inaccuracies herein contained. If discrepancies are found, please contact the Scott County Surveyors Office.

0 700 1400 2100 2800 3500 4200 4900 5600 Feet



Date: 4/23/2020

Scale: R.F:
1 inch = 2,800 ft.

AGENDA #5.5
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION
MEETING DATE: MAY 5, 2020

ORIGINATING DIVISION:	Transportation Services	CONSENT AGENDA:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ORIGINATING DEPARTMENT:	Highway Department Program Delivery		
PRESENTER:	Lisa Freese—8363	ATTACHMENTS:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
PROJECT:	Regional Solicitation Grant Applications	TIME REQUESTED:	NA
ACTION REQUESTED:	Adopt Resolution No. 2020-083; Authorizing Submittal of Transportation Projects to the Transportation Advisory Board for Consideration in the 2020 Regional Solicitation Process		
CONTRACT/POLICY/GRANT:	<input type="checkbox"/> County Attorney Review <input type="checkbox"/> Risk Management Review	FISCAL:	<input type="checkbox"/> Finance Review <input type="checkbox"/> Budget Change

ORGANIZATIONAL VALUES:

- ☒ Stewardship: Ensuring the responsible and stable investment of taxpayer dollars and communicating its value to the public
- ☒ Partnership: Aligning existing resources, volunteers and programs to achieve shared goals
- ☐ Leadership: Anticipating changes and managing challenges based on reliable information and citizen input
- ☐ Commitment: Developing a high quality workforce that is dedicated to advancing a safe, healthy and livable community
- ☐ Customer Service: Creating a customer experience that is respectful, responsive and solution-oriented
- ☐ Innovation: Exploring and adopting new technologies and processes with the goal of improving service and reducing the long term cost of service delivery

DEPARTMENT/DIVISION HEAD SIGNATURE:		COUNTY ADMINISTRATOR SIGNATURE:	
Approved:		DISTRIBUTION/FILING INSTRUCTIONS: Transportation Services, Lisa Freese	
Denied:			
Tabled:			
Other:			
Deputy Clerk :			
Date:			

Background/Justification:

The purpose of this agenda item is to adopt Resolution No. 2020-083; Authorizing Submittal of Transportation Projects to the Transportation Advisory Board (TAB) for Consideration in the 2020 Regional Solicitation Process.

The Metropolitan Council, in partnership with TAB, is requesting project submittals for federal funding under the Surface Transportation Block Grant Program (STBGP), Congestion Mitigation and Air Quality Program (CMAQ) and Transportation Alternatives Program (TAP). This funding provides up to 80 percent of the project construction cost. The local agency submitting the applications must commit to providing at least 20 percent

local match and maintaining the constructed facilities for their useful life. Approximately \$180 million in federal funds is anticipated to be available in this solicitation for program years 2024 and 2025 for projects in the Seven County Twin Cities Metropolitan Area. Project submittals are due on May 15, 2020 for all applications. The Highway Safety Improvement Program Solicitation (HSIP) applications are administered by the Minnesota Department of Transportation (MnDOT) and are due July 1, 2020. Any HSIP applications will be brought to the County Board for consideration in June as a separate action.

Funding applications are categorized by transportation mode (auto/roadway, bike/pedestrian, transit) instead of by funding program. The applications also include considerations based on measures emphasized in Thrive MSP 2040, including project relationship to regional economy, equity and affordable housing, and system preservation and modernization.

Staff is recommending three projects be submitted for scoring under the regional solicitation process. If successful, project dates will need to be aligned with federal funding. The selection process timeline will allow the County to adjust for successful applications in the annual update of the Transportation Improvement Program (TIP) 2020-2029.

Roadway Projects		
1.	TH 169, TH 282 and CSAH 9, and TH 169 Interchange	This project would construct a grade separated interchange with TH 169 at TH 282 and CSAH 9 to reduce congestion and freight delay on TH 169. The project is supported by MnDOT and the City of Jordan.
2.	Sand Creek Township TH169 Overpass	This project would construct an overpass of TH 169 south of 166 th street and convert Bluff Drive to a right in/right out to improve safety as this intersection. Sand Creek requests this application and requests Scott County Sponsorship
Multiuse Trails and Pedestrian Projects		
3.	Merriam Junction Trail	The Merriam Junction Trail (former UP rail line) is a proposed trail to be constructed from the US Fish & Wildlife Service Minnesota Refuge Louisville Swamp trailhead to the City of Carver. Carver County and City of Carver, US Fish and Wildlife and MnDNR support this project. TIP Program Year 2024.

Fiscal Impact:

The federal grant programs require a 20 percent local match for the project. Funding match obligations for several of the projects are included in the 2020-2029 Transportation Improvement Program (TIP). If the grant is secured for a currently non-funded project, the funding match obligations will be identified in the 2021 update of the County's TIP.

**BOARD OF COUNTY COMMISSIONERS
SCOTT COUNTY, MINNESOTA**

Date:	May 5, 2020
Resolution No.:	2020-083
Motion by Commissioner:	
Seconded by Commissioner:	

**RESOLUTION NO. 2020-083; AUTHORIZING SUBMITTAL OF TRANSPORTATION PROJECTS
TO THE TRANSPORTATION ADVISORY BOARD FOR CONSIDERATION
IN THE 2020 REGIONAL SOLICITATION PROCESS**

WHEREAS, the Transportation Advisory Board (TAB) is requesting project submittals for federal funding under the Surface Transportation Block Grant Program (STBGP), the Transportation Alternatives Program (TAP), and the Congestions Mitigation and Air Quality Program (CMAQ); and

WHEREAS, funding is available in the 2023-2024 federal fiscal years; and

WHEREAS, funding provides up to 80 percent of project construction costs; and

WHEREAS, this federal funding of projects reduces the burden on local taxpayers for regional improvements; and

WHEREAS, Scott County has identified projects that improve the safety and transportation system of the region; and

WHEREAS, the projects are also consistent with the Scott County Transportation Plan and Scott County Parks Plan; and

WHEREAS, the Scott County Board of Commissioners desires to submit and support these projects:

1. Trunk Highway (TH) 282, County State Aid Highway 9, and TH 169 Interchange
2. 169 Overpass south of 166th Street (on behalf of Sand Creek Township)
3. Merriam Junction Trail.

NOW, THEREFORE BE IT RESOLVED, that the Scott County Board of Commissioners hereby supports the submittal of the above-named projects to the Transportation Advisory Board for consideration in the 2020 Regional Solicitation Process.

COMMISSIONERS	VOTE			
Weckman Brekke	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Wolf	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Beard	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Beer	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Ulrich	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain

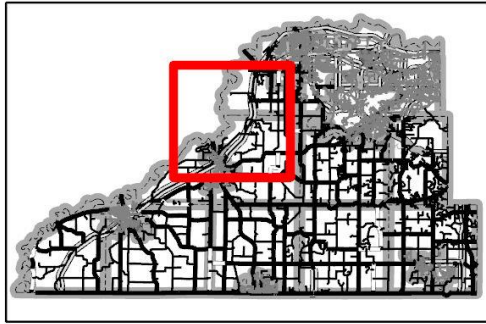
State of Minnesota)
County of Scott)

I, Lezlie A. Vermillion, duly appointed qualified County Administrator for the County of Scott, State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution with the original minutes of the proceedings of the Board of County Commissioners, Scott County, Minnesota, at their session held on the 5th day of May, 2020 now on file in my office, and have found the same to be a true and correct copy thereof.

Witness my hand and official seal at Shakopee, Minnesota, this 5th day of May, 2020.

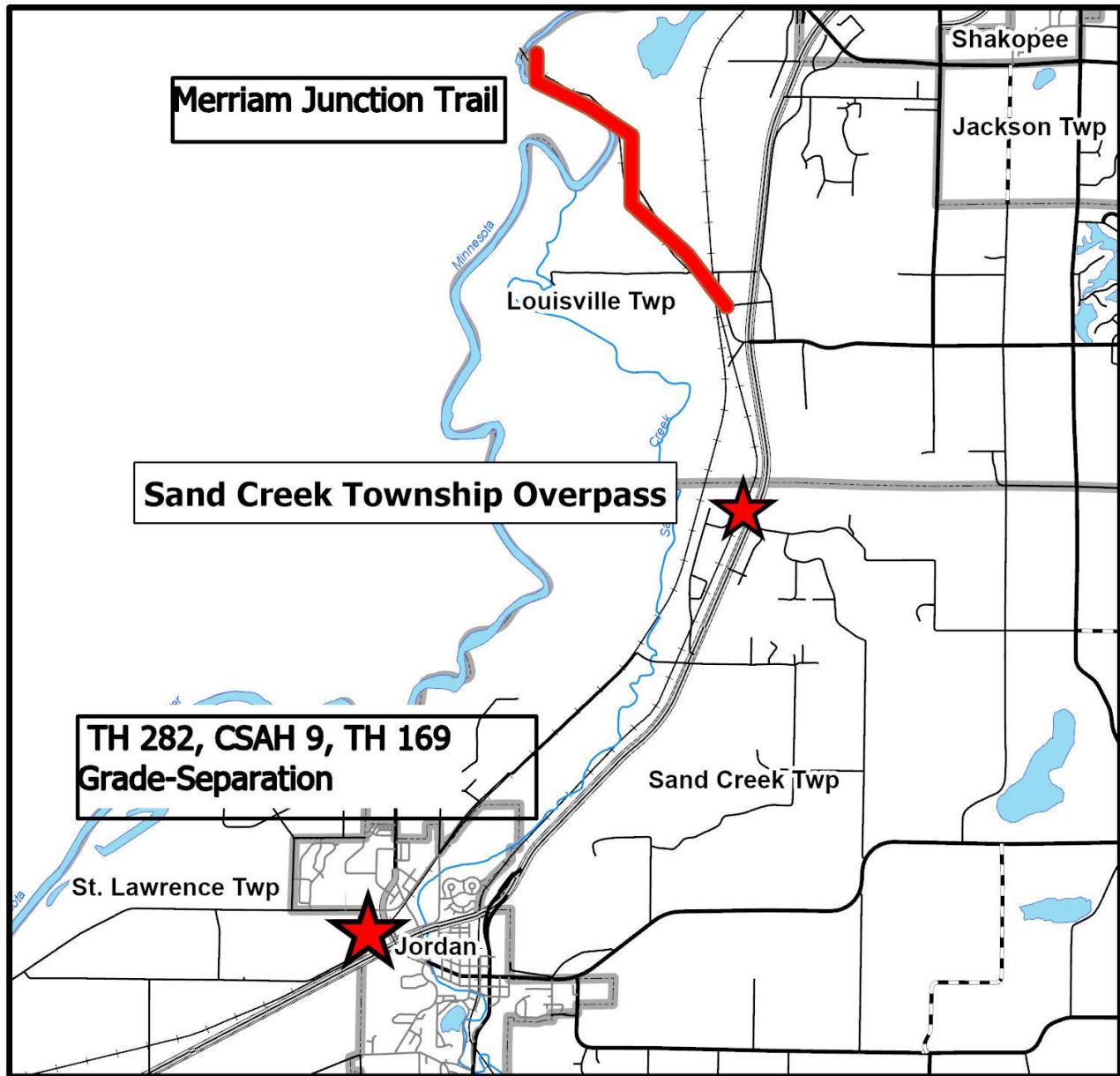
County Administrator

Administrator's Designee



SCOTT COUNTY

2020 RBA
Regional Solicitation



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0 700 1400 2,800 4,200 5,600 Feet



Date: 4/22/2020

Scale: R.F:
1 inch = 2,800 ft.

AGENDA #5.6
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION
MEETING DATE: MAY 5, 2020

ORIGINATING DIVISION:	Planning & Res. Mgmt.	CONSENT AGENDA:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ORIGINATING DEPARTMENT:	Natural Resources		
PRESENTER:	Melissa Bokman - 8887	ATTACHMENTS:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
PROJECT:	Local Water Plans	TIME REQUESTED:	N/A
ACTION REQUESTED:	Adopt Resolution No. 2020-080; Approving the City of Elko New Market 2040 Comprehensive Surface Water Management Plan, December 2019		
CONTRACT/POLICY/GRANT:	<input checked="" type="checkbox"/> County Attorney Review <input type="checkbox"/> Risk Management Review	FISCAL:	<input type="checkbox"/> Finance Review <input type="checkbox"/> Budget Change

ORGANIZATIONAL VALUES:

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DEPARTMENT/DIVISION HEAD SIGNATURE:	COUNTY ADMINISTRATOR SIGNATURE:
Approved:	DISTRIBUTION/FILING INSTRUCTIONS: Melissa Bokman, Sr. Water Resources Planner Vanessa Strong, Water Resources Supervisor Jeanne Andersen, Senior Attorney
Denied:	
Tabled:	
Other:	
Deputy Clerk :	
Date:	

Background/Justification:

The purpose of this agenda item is to adopt Resolution No. 2020-080; Approving the City of Elko New Market (City) 2040 Comprehensive Surface Water Management Plan, December 2019.

The City of Elko New Market submitted a draft Comprehensive Surface Water Management Plan to the Scott Watershed Management Organization (Scott WMO) on December 18, 2019. A copy of their draft Surface Water Plan was also submitted to the Metropolitan Council for review. Per Minnesota Statute 103B.235, Subd. 3, the Scott WMO had 60 days to complete its review of a local water plan. The Scott WMO must also take

into consideration comments submitted by the Metropolitan Council on the local water plan. Both Scott WMO and Metropolitan Council staff reviewed the Comprehensive Surface Water Management Plan and submitted final comments to the City in March 2020.

On April 27, 2020 the Watershed Planning Commission met and was presented information on the process of the City's Plan and unanimously recommended the Comprehensive Surface Water Management Plan be submitted to the Scott County Board for approval.

Scott WMO staff finds that the Elko New Market Plan meets the requirements of Minnesota Statute 103B.235 and Minnesota Rule 8410.0160 for local water plans and of the Scott WMO's new 2019 – 2026 Plan requirements.

Fiscal Impact:

None

**BOARD OF COUNTY COMMISSIONERS
SCOTT COUNTY, MINNESOTA**

Date:	May 5, 2020
Resolution No.:	2020-080
Motion by Commissioner:	
Seconded by Commissioner:	

**RESOLUTION NO. 2020-080; APPROVING THE CITY OF ELKO NEW MARKET
2040 COMPREHENSIVE SURFACE WATER MANAGEMENT PLAN DATED DECEMBER 2019**

WHEREAS, Minnesota Statutes Section 473.859 Subdivision 2, Comprehensive Plan Content requires that a land use plan shall include the water management plan required by Section 103B.235, Local Water Management Plans; and

WHEREAS, Minnesota Statutes Section 103B.235, Local Water Management Plans, requires that local government units having land use planning and regulatory responsibility for territory within the watershed shall prepare or cause to be prepared a local water management plan, capital improvement program, and official controls as necessary to bring local water management into conformance with watershed organization plans. Local plans must meet requirements of watershed organization plans as well as the general requirements of Minnesota Statutes Section 103B.235 and Minnesota Rules Part 8410; and

WHEREAS, the City of Elko New Market (City) prepared a draft Comprehensive Surface Water Management Plan and submitted it for review by the Metropolitan Council and the Scott Watershed Management Organization (Scott WMO); and

WHEREAS, Scott WMO staff feels the City's Plan is in full conformance with Minnesota Rule 8410 and Scott WMO 2019 – 2026 Comprehensive Water Resources Management Plan.

NOW THEREFORE BE IT RESOLVED that the Scott County Board of Commissioners finds that the proposed changes to the Elko New Market Comprehensive Surface Water Management Plan are in conformance with Minnesota Rule 8410, and are at least as protective of water resources as the Scott WMO Plan.

BE IT FINALLY RESOLVED, that the Scott County Board of Commissioners acting as the Scott Watershed Management Organization hereby approves the City of Elko New Market 2040 Comprehensive Surface Water Management Plan.

COMMISSIONERS	VOTE
Weckman Brekke	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Wolf	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Beard	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Beer	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Ulrich	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain

State of Minnesota)

County of Scott)

I, Lezlie A. Vermillion, duly appointed qualified County Administrator for the County of Scott, State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution with the original minutes of the proceedings of the Board of County Commissioners, Scott County, Minnesota, at their session held on the 5th day of May, 2020 now on file in my office, and have found the same to be a true and correct copy thereof.

Witness my hand and official seal at Shakopee, Minnesota, this 5th day of May, 2020.

County Administrator

Administrator's Designee

AGENDA #5.7
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION
MEETING DATE: MAY 5, 2020

ORIGINATING DIVISION:	Transportation Services Highway	CONSENT AGENDA:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ORIGINATING DEPARTMENT:			
PRESENTER:	Lisa Freese -8363	ATTACHMENTS:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
PROJECT:	CP 83-24 & City 19-004-11	TIME REQUESTED:	NA
ACTION REQUESTED:	Adopt Resolution No. 2020-087; Authorizing Entering Into a Three-Party Right-of-Way Contribution Agreement With Canterbury Park Entertainment LLC, the City of Shakopee, and Scott County to Facilitate Right-of-Way Needs for the County Highway 83 Modernization Project		
CONTRACT/POLICY/GRANT:	<input type="checkbox"/> County Attorney Review <input type="checkbox"/> Risk Management Review	FISCAL:	<input type="checkbox"/> Finance Review <input type="checkbox"/> Budget Change

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DEPARTMENT/DIVISION HEAD SIGNATURE:	COUNTY ADMINISTRATOR SIGNATURE:
Approved:	DISTRIBUTION/FILING INSTRUCTIONS:
Denied:	
Tabled:	
Other:	
Deputy Clerk:	
Date:	

Background/Justification:

The purpose of this agenda item is to adopt Resolution No. 2020-087; Authorizing Entering Into a Three-Party Right-of-Way Contribution Agreement With Canterbury Park Entertainment LLC, the City of Shakopee, and Scott County to Facilitate Right-of-Way Needs for the County Highway 83 Modernization Project.

Canterbury is re-developing its property to include a multi-phased development known as Canterbury Commons that will contain a mix of housing, retail, hotel, and entertainment uses ("Canterbury Commons"). The City of Shakopee is planning a new public roadway system known as the Canterbury Commons Public Infrastructure Projects to accommodate the redevelopment known as Canterbury Commons. See Exhibit 1.

In 2016, the City, in partnership with Scott County, completed a corridor visioning project that developed a corridor modernization concept for County Highway (CH) 83. The City and Canterbury requested that the County program a County Highway 83 modernization project ("CH 83 Project") primarily to accommodate the Canterbury Commons redevelopment project. Scott County subsequently applied for and received two grants for construction funding:

- 1) a modernization grant from the Regional Solicitation; and
- 2) a grant for pavement enhancement from the Minnesota Highway Freight Program.

These Grants will cover a portion of the cost of the project, which includes trails, sidewalks, stormwater upgrades, turn lanes, and geometrics primarily designed to support the traffic needs generated by Canterbury Commons and other development nearby.

In 2018 the City completed an area wide transportation study specifically for the proposed Canterbury Commons re-development project and proposed Tax Increment District Financing (TIF). The attached figure (Exhibit 2) from that study shows the County's Project CP 83-24 as Improvement Number 1. The City's east-west city collector street, known as Unbridled Ave (Unbridled), is on a new alignment as Improvement Number 11 (City Project CP CIF 19-004-11). The third project is a future north-south local city collector street (Local Street) on new alignment as Improvement Number 13. Unbridled, County Highway 83, and the Local Street have proposed right-of-way needs on each party's real property. The County is authorized to exchange and convey land for right-of-way purposes, pursuant to Minn. Stat. Secs. 373.01 and 375.18. Each party desires to work together to contribute the right of way needs for these various roadway projects.

Specifically, both Unbridled Ave and the proposed Local Street impact a County owned property known as the Work Force Center (WFC) (PIN 27-904-010-3 and shown in the attached Exhibit 3). This 5-acre tract was acquired in 2002 by the County from Canterbury to meet additional parking needs for the WFC. It abuts the WFC site on the west. This tract of land is primarily undeveloped except for the southeast corner of this tract which has a 54-space parking lot that is principally used by Southwest Metro School District, as tenant/owner in the WFC.

The City is leading the Unbridled Avenue project. This roadway will serve as the new main entrance into Canterbury Park for its races and major events. The roadway connects into CH 83 at Valley Industrial Boulevard South. The road continues west to Shenandoah Drive within the Canterbury development. The City is paying for the project with TIF funding and construction will commence in the Spring of 2020. For Unbridled Avenue, the County will grant easements for right-of-way (19,078 sf), drainage and utility (3,168.0 sf), and a temporary construction easement (5,508.5 sf) as shown on the Parcel Sketch (Exhibit 4) across the northerly portion of the 5-acre County owned property.

The City will also lead the proposed Local Street Project. This future street is a collector roadway that will connect into Unbridled on the north and traverse through Canterbury Commons, connecting to 12th Avenue on the south end, providing internal circulation for the development. The City has indicated that the roadway construction will be paid for utilizing the TIF funds and abutting property owners will not be assessed for the infrastructure improvements. The City standard for right-of-way on commercial industrial collector roadway is 80 feet wide. Several concept alignments have been discussed over the last two years with the City, Canterbury, and the County. A north-south collector roadway to support internal circulation of this new development anticipated on the Canterbury property is a desirable objective, the County agrees to support that objective by contributing the necessary right-of-way. The City's and Canterbury's preferred alignment bisects the WFC property in a curvilinear alignment on the north end of the property to Unbridled Street. Initially, the County preferred a westerly alignment but after a workshop on April 21st with the County Board, staff received direction to move forward with the City and Canterbury's preferred alignment. The construction date for this project has not been established but it will be constructed with TIF funds in 2021 or after.

In 2021 the County CH 83 modernization project is programed for construction and final design is nearly complete. The project converts the existing undivided four lane County Highway to a divided four lane highway with a median separating opposing traffic, turn lanes at intersecting streets, and adds trail/sidewalk improvements. At the Unbridled intersection, CH 83 will have double left turn lanes and a signal which is needed to accommodate event traffic for Canterbury.

The City and Canterbury will grant the right-of-way needed for the CH 83 project in exchange for the right-of-way needed for the City street projects which support the appropriate circulation through the Canterbury Commons Public Infrastructure Projects.

The right-of-way needs for CH 83 on City and Canterbury properties involve two city acquired parcels (PINs 27-406-001-0 and 27-406-002-0), an existing city parcel (PIN 27-055-010-0), and two Canterbury properties (PINs 27-450-002-0 and 27-450-003-0). On the City owned parcel (PIN 27-406-002-0) at the southwest corner of Unbridled and CH83, there will be a shared stormwater facility.

Fiscal Impact:

None.

**BOARD OF COUNTY COMMISSIONERS
SCOTT COUNTY, MINNESOTA**

Date:	May 5, 2020
Resolution No.:	2020-087
Motion by Commissioner:	
Seconded by Commissioner:	

**ADOPT RESOLUTION NO. 2020-087; AUTHORIZING ENTERING INTO A THREE-PARTY
RIGHT-OF-WAY CONTRIBUTION AGREEMENT WITH CANTERBURY PARK ENTERTAINMENT LLC,
THE CITY OF SHAKOPEE AND SCOTT COUNTY TO FACILITATE RIGHT-OF-WAY NEEDS
FOR COUNTY HIGHWAY 83 MODERNIZATION PROJECT**

WHEREAS, Canterbury is re-developing its property to include a multi-phased development known as Canterbury Commons that will contain a mix of housing, retail, hotel, and entertainment uses ("Canterbury Commons"); and

WHEREAS, the City of Shakopee (City) is planning a new public roadway system known as the Canterbury Commons Public Infrastructure Projects to accommodate the redevelopment known as Canterbury Commons, ("Canterbury Commons Public Infrastructure Projects"); and

WHEREAS, the City led a corridor visioning project in 2016 that developed a corridor modernization concept for County Highway (CH) 83; and

WHEREAS, the City and Canterbury requested that the County program a County Highway 83 modernization project ("CH 83 Project") primarily to accommodate the redevelopment of the Canterbury Commons project; and

WHEREAS, Scott County (County) has sought and received federal funding for the CH 83 Project at the City's request that will cover a portion of the cost of the project, which includes trails, sidewalks, stormwater upgrades, turnlanes, and geometrics primarily designed to support the traffic needs generated by Canterbury Commons; and

WHEREAS, Canterbury Commons Public Infrastructure Projects encompasses several public roadway projects, including the City's Unbridled Avenue construction project on a new alignment known as City Project CP CIF 19-004-11 ("Unbridled"), the CH 83 Project modernization project known as County Project CP 83-24 ("County Highway 83"); and the City's concept for a future construction of a northerly-southerly local street on a new alignment ("Local Street"); and

WHEREAS, Unbridled, County Highway 83 and Local Street have proposed right-of-way needs on each Party's real property; and

WHEREAS, the County is authorized to exchange and convey land for right-of-way purposes pursuant to Minn. Stat. Secs. 373.01 and 375.18; and

WHEREAS, the Parties desire to work together to contribute the right-of-way needs for the Canterbury Commons Public Infrastructure Projects referenced above in order to efficiently facilitate, support, and further the Canterbury Commons redevelopment project; and

**BOARD OF COUNTY COMMISSIONERS
SCOTT COUNTY, MINNESOTA**

Date:	May 5, 2020
Resolution No.:	2020-087
Motion by Commissioner:	
Seconded by Commissioner:	

WHEREAS, the County, Canterbury LLC, and the City of Shakopee have agreed to contribute property to these three infrastructure projects; and

WHEREAS, an agreement has been developed that includes right-of-way contributions from all of the parties at no cost to each other.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners in and for the County of Scott, Minnesota, that the Chairperson of the Board is authorized to execute and deliver an agreement and instruments granting to the City of Shakopee the right-of-way needs as recited above in exchange for the City of Shakopee and Canterbury granting to the County the right-of-way needs as recited above.

BE IT FINALLY RESOLVED, that approval of this Agreement is subject to approval by the County Attorney's Office as to form.

COMMISSIONERS	VOTE			
Weckman Brekke	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Wolf	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Beard	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Beer	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Ulrich	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain

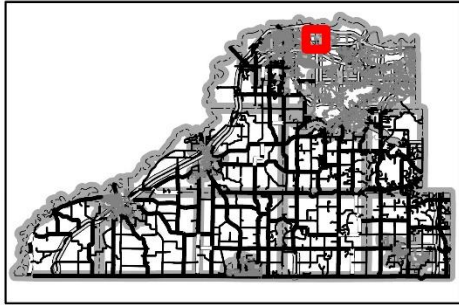
State of Minnesota)
County of Scott)

I, Lezlie A. Vermillion, duly appointed qualified County Administrator for the County of Scott, State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution with the original minutes of the proceedings of the Board of County Commissioners, Scott County, Minnesota, at their session held on the 5th day of May, 2020 now on file in my office, and have found the same to be a true and correct copy thereof. Witness my hand and official seal at Shakopee, Minnesota, this 5th day of May 2020.

County Administrator

Administrator's Designee

**Exhibit 1
Location Map**

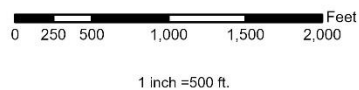


SCOTT COUNTY

CP 83-24
2020 RBA



This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices, and other sources affecting the area shown, and is to be used for reference purposes only. Scott County is not responsible for any inaccuracies herein contained. If discrepancies are found, please contact the Scott County Surveyors Office.

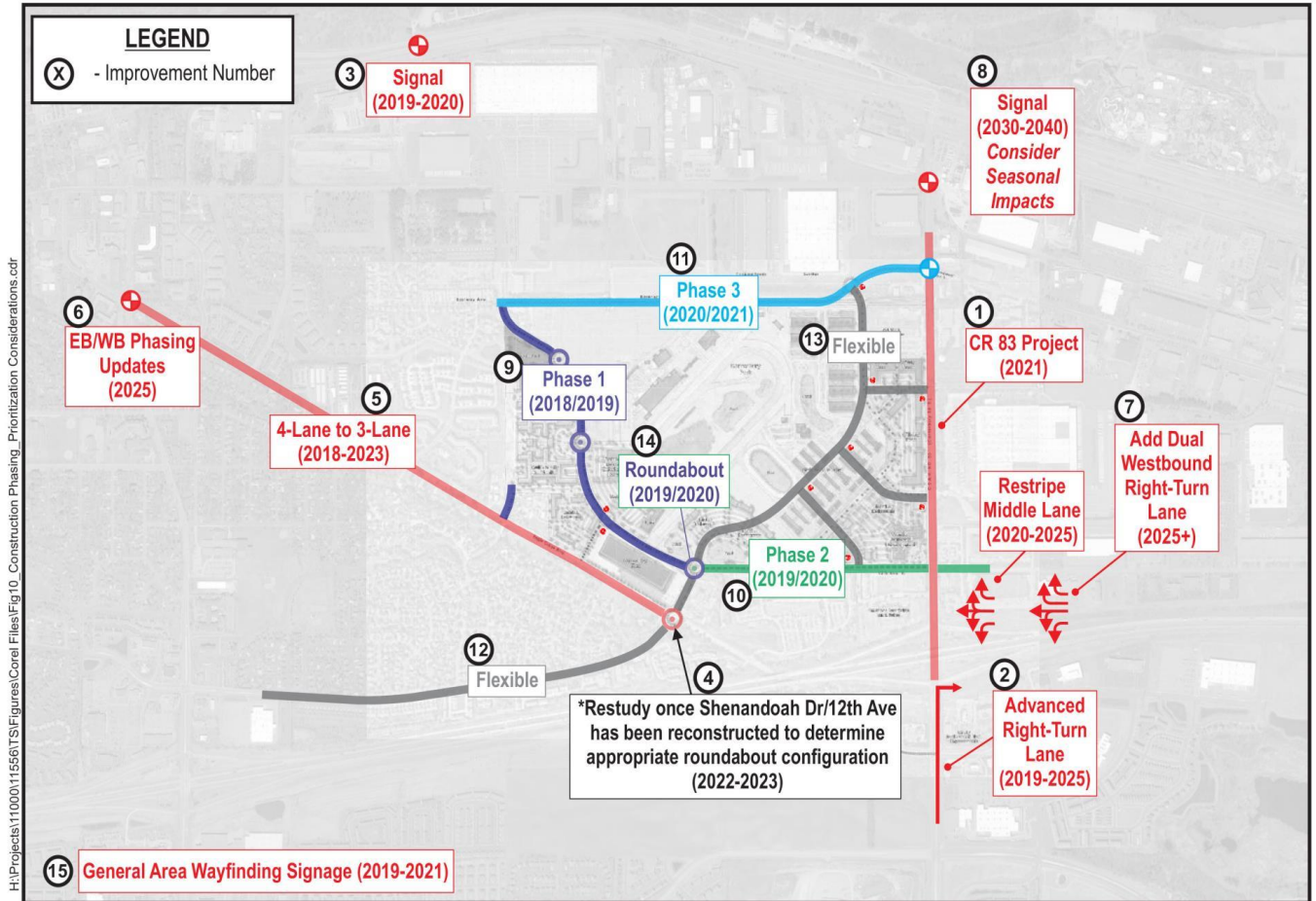


Date: 3/27/2020

Exhibit 2

Canterbury Commons Traffic Study

Canterbury Commons Public Infrastructure Projects



Construction Phasing/Prioritization Considerations

Canterbury Commons Traffic Study
 City of Shakopee

01811556
 July 2018

Figure 10

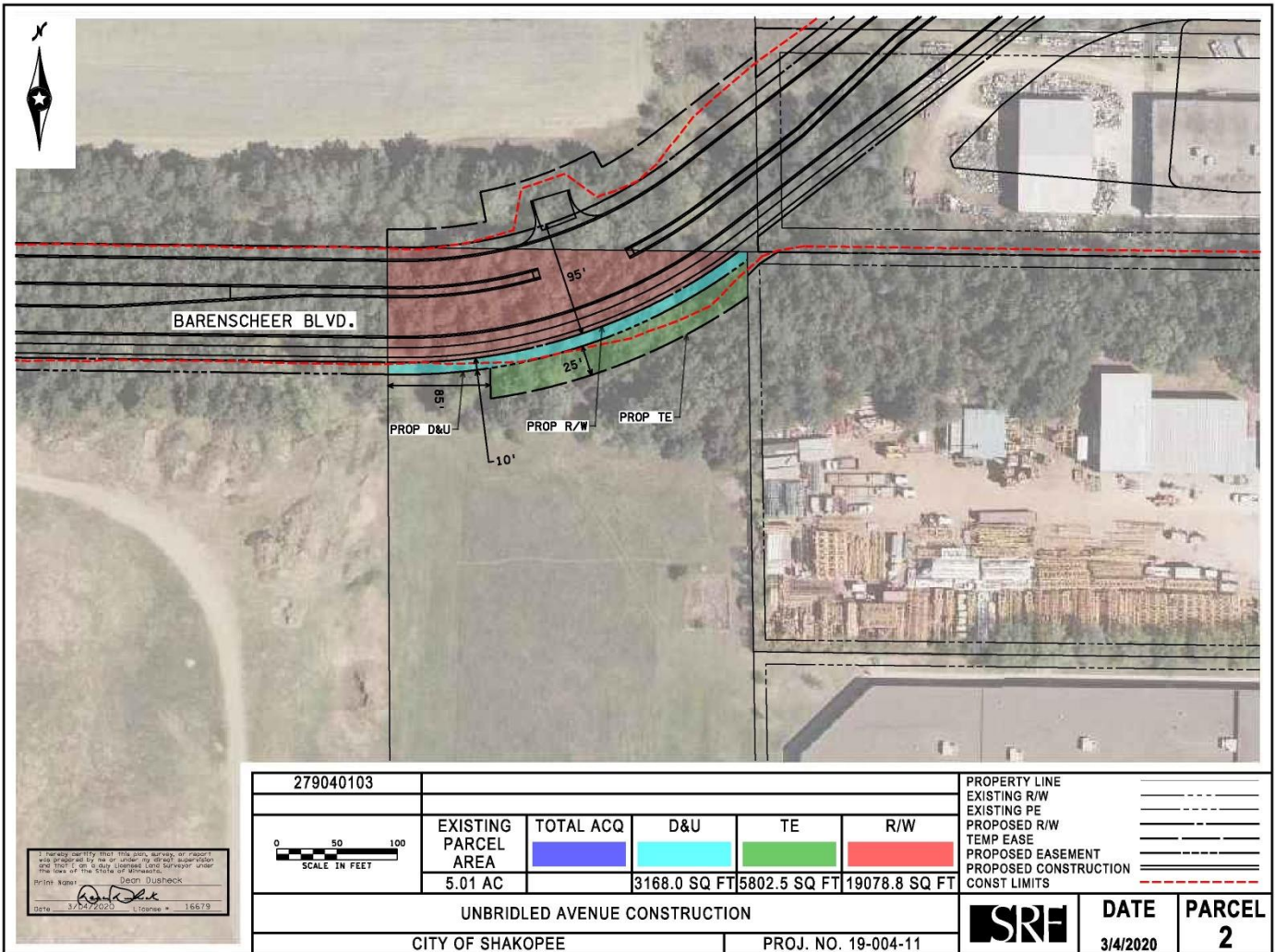
Contribution of ROW needs



Contribution of ROW needs



WFC ROW impact-Unbridled Ave



H:\Projects\12000\12489\Design\Graphics\Right of Way Graphics\12489_parcel02.dgn
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11:57:41 AM

AGENDA #5.8
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION
MEETING DATE: MAY 5, 2020

ORIGINATING DIVISION:	Sheriff	CONSENT AGENDA:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ORIGINATING DEPARTMENT:	Jail		
PRESENTER:	Doug Schnurr	ATTACHMENTS:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
PROJECT:		TIME REQUESTED:	N/A
ACTION REQUESTED:	Approve an Amendment to the Master Service Agreement With Goosebusters, Inc. for Dr. Michael R. Wilcox, M.D. to Establish a Jail Nursing Contingency Plan		
CONTRACT/POLICY/GRANT:	<input checked="" type="checkbox"/> County Attorney Review <input checked="" type="checkbox"/> Risk Management Review	FISCAL:	<input type="checkbox"/> Finance Review <input type="checkbox"/> Budget Change

ORGANIZATIONAL VALUES:

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- ☒ **Collaboration:** We will work with partners – communities, schools, faith groups, private business, and non-profit agencies – to see that services are not duplicated but rather are complimentary, aligned and provided by the partners who can deliver the service most effectively
- ☐ **Stewardship:** We will work proactively to make investments, guided by resident input, which will transform lives, communities, and government
- ☐ **Empowerment:** We will work with individuals and families to affirm strengths, develop skills, restore hope, and promote self-reliance
- ☒ **Resiliency:** We will foster public preparedness and respond when families and communities face health and safety emergencies
- ☒ **Innovation:** We will take informed risks to deliver services more effectively and will learn from our successes and failures

DEPARTMENT/DIVISION HEAD SIGNATURE:		COUNTY ADMINISTRATOR SIGNATURE:	
Approved:		DISTRIBUTION/FILING INSTRUCTIONS: Cassie Koch Lisa Brodsky Pam Selvig	
Denied:			
Tabled:			
Other:			
Deputy Clerk :			
Date:			

Background/Justification:

The purpose of this agenda item is to approve an Amendment to the Master Service Agreement with Goosebusters, Inc. for Dr. Michael R. Wilcox, M.D. to establish a Jail Nursing Contingency Plan.

While planning to address potential impacts of COVID-19, the Jail medical unit was identified as a priority critical service and is operated with few qualified staff members. Realizing the significant impact a long-term

employee absence in this area would produce, it was recommended that a contingency plan be implemented as soon as possible.

Attention was focused toward two vendors currently or previously servicing the Jail in a similar capacity due to their familiarization with our facility and operations. It was quickly determined that accessing the current County Medical Director Dr. Wilcox's organization of Community Paramedics was the most seamless and fiscally responsible option. The Community Paramedics served in the Jail as late as July 30, 2019.

This Amendment allows for the Jail to request and receive Community Paramedic support at any time through the end of the Master Agreement (December 31, 2022). Under the direction of Medical Director Dr. Wilcox, Community Paramedics will be provided to work in the Jail for an hourly rate of \$50.00. Their responsibilities will mirror that of our nurses, to the extent their credentials allow.

No use or compensation is guaranteed under this Amendment, but rather puts in place the ability to exercise, upon short notice, the use of Community Paramedics in the event they are needed. The annual maximum total compensation of the Master Agreement will be increased from \$121,380 to \$150,000 to allow for use without the need to return to Board for an additional change.

Fiscal Impact:

There is no fiscal impact currently anticipated. In the event this Amendment needs to be exercised for a substantial length of time, the Sheriff's Office will work with the Office of Management and Budget to address the budget impact.

AGENDA #5.9
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION
MEETING DATE: MAY 5, 2020

ORIGINATING DIVISION:	Community Services	CONSENT AGENDA:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ORIGINATING DEPARTMENT:	PCS Admin & Elections		
PRESENTER:	Cynthia Geis	ATTACHMENTS:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
PROJECT:		TIME REQUESTED:	N/A
ACTION REQUESTED:	Adopt Resolution No. 2020-085; Recognizing the Financial Impact of the COVID-19 Pandemic and Update to the County's Financial Policy to Include Modifications or Abatements of Property Tax, Penalty and Interest; and Rescinding Resolution #94064, #2001-005, and #2008-146 and All Other Prior Policies Not Identified and Disavow All Informal Procedures in Place Up to the Current Act		
CONTRACT/POLICY/GRANT:	<input checked="" type="checkbox"/> County Attorney Review <input type="checkbox"/> Risk Management Review	FISCAL:	<input checked="" type="checkbox"/> Finance Review <input checked="" type="checkbox"/> Budget Change

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- ☐ **Stewardship:** We will work proactively to make investments, guided by resident input, which will transform lives, communities, and government
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- ☐ **Innovation:** We will take informed risks to deliver services more effectively and will learn from our successes and failures

DEPARTMENT/DIVISION HEAD SIGNATURE:	COUNTY ADMINISTRATOR SIGNATURE:
Approved:	DISTRIBUTION/FILING INSTRUCTIONS: Michael Thompson, Property and Taxation Services Manager
Denied:	
Tabled:	
Other:	
Deputy Clerk:	
Date:	

Background/Justification:

The purpose of this agenda item is to adopt Resolution No. 2020-085; Recognizing the Financial Impact of the COVID-19 Pandemic and Update to the County's Financial Policy to Include Modifications or Abatements of Property Tax, Penalty and Interest and Rescinding Resolution #94064, #2001-005 and #2008-146 and All Other Prior Policies Not Identified and Disavow All Informal Procedures in Place Up to the Current Act.

Scott County continues to be impacted by an outbreak of a respiratory disease caused by a novel coronavirus that was first detected in China and which now has been detected across the world, including in Minnesota.

- On March 11, the World Health Organization declared COVID-19 as a pandemic.
- On March 13, the President of the United States declared a national emergency for the COVID-19 outbreak.
- On March 13, the Governor of Minnesota declared a statewide disaster.
- On March 17, the Scott County Board declared a local state of emergency due to the pandemic.

As part of the State of Minnesota Executive Order 20-20 (Stay at Home Minnesota) the Governor has ordered the closure of all non-essential business and encourages teleworking from home when at all possible until April 10; which was extended through May 3 by Executive Order 20-33. The Governor has also ordered the extension of the peacetime emergency until May 13, 2020 through Executive Order 20-35.

With these orders, many businesses have closed causing hundreds of thousands of people to be laid off from their jobs. In the times of financial hardship, residents have contacted the County asking if considerations on property tax payments were being contemplated.

MS §375.192 dictates the process by which to request the reduction or abatement of valuation and taxes. The County has no independent authority to modify or change that provision with the exception to delegate to the County Auditor, any authority, power, or responsibility that is assigned to the County Board only for abatements less than \$10,000. This delegation was granted by resolution #2001-005.

MS §273.1231-273.1235 provides for tax relief as it relates to destroyed properties due to disasters or emergencies. Once again, the legislation is very specific to destroyed properties and the ability for them to be able to get relief through an abatement or credit to their tax liability. The County has no authority in this area apart from the granting of local option disaster abatements where at least 50% of the property is destroyed. These occur generally when buildings have been partially or entirely destroyed due to a fire in a singular or limited area. This would not include abatements for disasters or emergencies where the state or federal government has declared disaster or emergency areas (such as major floods, tornados, and other disasters that were broad in nature).

MS §279.01 grants the County Board, along with the concurrence of the County Treasurer, the ability to abate penalty against current year property taxes if they find that the imposition of the penalty would be unjust or unreasonable. The term 'hardship' has been used when the findings of unjust or unreasonable were found to be true. In the prior policy, financial hardships did not fall within this definition. The definition was limited to the death or incapacitation of the taxpayer(s) or in the immediate family occurring within 3 days of the due date, extreme illness that prevents the taxpayer from making a timely payment, an accident within 1 business day of the due date, or a destructive fire occurring within 1 business day of the due date.

The COVID-19 pandemic is a crisis that wasn't even considered when the old policies were created and approved. Due the major economic downturn, high unemployment rate, and personal financial constraints, it is the desire of staff to revise the policy to include terms that could address the lateness of some payments by taxpayers who were impacted by this pandemic.

As the pandemic crisis continues to unfold, Staff are proposing that penalties due on the 1st half of the current year tax get abated as long as payments are received by July 15, 2020, and as long as the following criteria is met:

- The property is not escrowed and taxes paid by a mortgage or service company
- The property is not considered public personal property (railroad and utility property)
- The taxpayer can make application for abatement of penalty and provide documentation as to how the pandemic has caused them hardship
 - Hardship shall be identified as: a tragedy or casualty suffered by the taxpayer, where sufficient documentation can be provided, that results in erroneous valuations or classifications of property, or late payments of taxes. Hardships are limited to the death or incapacitation of the

taxpayer(s) or in the immediate family occurring within three (3) days of due date, extreme illness that prevents the taxpayer(s) or immediate family from making a timely payment, an accident occurring within one (1) business day of the due date, or a destructive fire occurring within one (1) business day of the due date.

It shall not include any payments with a claim of financial hardship unless the financial hardship is directly related to a state, federal or local emergency declaration and the taxpayer can provide documentation as to the impact the declaration or event has had on them. No taxpayer who has an annual tax liability of \$100,000 or more on one or a combination of parcels, are eligible under this provision.

Operational Clause

- Shall require that if an abatement of tax is granted, any overpayment or refund that would be due would only be sent to the taxpayer if the property taxes for all years have been paid.

The Financial Policy will include the Delegation by County Board of any authority, power, or responsibility assigned to the Board to the County Auditor, or their designee, under MS §375.192 and can set conditions for the delegation if they chose. The delegation may be revoked without good cause or prior notice. This delegation allows for the reviewing and granting of tax abatements of less than \$10,000 due to the reduction or abatement of estimated market value or error in classification. This also includes the approval of the County Assessor. This delegation has been in existence since 2001 but was part of a policy rescinded with this action.

Fiscal Impact:

Penalty in 2019 was \$160,000. The 2020 budget includes \$270,000 in penalty and interest to be collected which will be impacted with the approval of this item. Penalties and interest on delinquent taxes are not allowed under this provision.

**BOARD OF COUNTY COMMISSIONERS
SCOTT COUNTY, MINNESOTA**

Date:	May 5, 2020
Resolution No.:	2020-085
Motion by Commissioner:	
Seconded by Commissioner:	

**ADOPT RESOLUTION NO. 2020-085; RECOGNIZING THE FINANCIAL IMPACT OF THE
COVID-19 PANDEMIC AND UPDATE TO THE COUNTY'S FINANCIAL POLICY TO INCLUDE
MODIFICATIONS OR ABATEMENTS OF PROPERTY TAX, PENALTY AND INTEREST; AND
RESCINDING RESOLUTION #94064, #2001-005 AND #2008-146 AND ALL OTHER PRIOR POLICIES
NOT IDENTIFIED AND DISAVOW ALL INFORMAL PROCEDURES IN PLACE UP TO THE CURRENT ACT**

WHEREAS, on March 13, the President of the United States declared a National Emergency for the COVID-19 outbreak and the Governor of Minnesota declared a Statewide Disaster and declared a Peacetime State of Emergency; and

WHEREAS, on March 17, the Scott County Board declared a Local State of Emergency due to the pandemic; and

WHEREAS, the Governor passed Executive Order 20-20 causing the closure of non-essential services and ordered a Stay at Home which directed Minnesotans to shelter in place until April 10, further ordered through Executive Order 20-33 until May 4; and

WHEREAS, the federal and state governments have attempted to respond to the financial needs of individuals and businesses with stimulus programs, but will require all local governments to also take actions to further assist in financial relief for the same, including the abatement of penalties on taxes if timely paid, and if conditions are met; and

WHEREAS, the County Board provides for County services that support the business community and its residents and recognizes the financial burdens placed on them due to the pandemic, and wishes to support the business community and County residents by ensuring a competitive property tax burden for all; and

WHEREAS, counties are responsible for the collection and distribution of all property taxes levied by all governments that support essential services, including those critical to COVID-19 response efforts; and

WHEREAS, property taxes are the fundamental revenue source for local government to ensure sustainability of essential services and statutory mandates and when payments are not received timely, penalties shall accrue based upon statutory mandates; and

WHEREAS, Scott County wishes to rescind past policies and informal procedures relating to the Abatement of Tax, Penalty and Interest and amend the Financial Policy that would include the parameters by which these should be granted, including times where federal, state, or local emergency declarations have been issued.

**BOARD OF COUNTY COMMISSIONERS
SCOTT COUNTY, MINNESOTA**

Date:	May 5, 2020
Resolution No.:	2020-085
Motion by Commissioner:	
Seconded by Commissioner:	

NOW THEREFORE BE IT RESOLVED, the Scott County Board of Commissioners authorizes the County Auditor and designated staff to abate all penalties on the 2020 current year tax due on May 15, 2020 as long as the payment is received by July 15, 2020 and as long as:

- The property is not escrowed; and
- The property is not considered public personal property (railroad and utility property); and
- The taxpayer makes application for abatement of penalty and provides documentation as to how the pandemic has caused them hardship; and
- The taxpayer does not have an annual tax liability of \$100,000 or more on one or a combination of parcels owned.

BE IT FURTHER RESOLVED, the Scott County Board of Commissioners hereby rescinds all policies approved before this act, as well as any informal procedures, and authorizes the Financial Policy to be amended to include parameters not specifically called out in Statutes §375.192, §279.01 and §273.1231-273.1235 pertaining to the abatement of tax, penalty interest and fees; and

BE IT FINALLY RESOLVED, the Scott County Board of Commissioners grants the authority to approve abatements of property tax, penalty, interest and related costs under \$10,000 pursuant to MS §375.192 to the County Auditor or their designee.

COMMISSIONERS	VOTE			
Weckman Brekke	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Wolf	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Beard	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Beer	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Ulrich	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain

State of Minnesota)

County of Scott)

I, Lezlie A. Vermillion, duly appointed qualified County Administrator for the County of Scott, State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution with the original minutes of the proceedings of the Board of County Commissioners, Scott County, Minnesota, at their session held on the 5th day of May, 2020 now on file in my office, and have found the same to be a true and correct copy thereof. Witness my hand and official seal at Shakopee, Minnesota, this 5th day of May, 2020.

County Administrator

Administrator's Designee

**AGENDA #5.10
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION
MEETING DATE: MAY 5, 2020**

ORIGINATING DIVISION: ORIGINATING DEPARTMENT:	Employee Relations	CONSENT AGENDA:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
PRESENTER:	Janelle McGlinchey	ATTACHMENTS:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
PROJECT:	---	TIME REQUESTED:	---
ACTION REQUESTED:	Approve Payroll Processing of Personnel Actions Indicated Below and Hereby Certified by the Employee Relations Director and the Appointing Authority to be in Compliance With the Provisions of Minnesota Statutes 375.56 – 375.71 and the Scott County Personnel System		
CONTRACT/POLICY/GRANT:	<input type="checkbox"/> County Attorney Review <input type="checkbox"/> Risk Management Review	FISCAL:	<input type="checkbox"/> Finance Review <input type="checkbox"/> Budget Change

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- ☐ **Innovation:** We will take informed risks to deliver services more effectively and will learn from our successes and failures

DEPARTMENT/DIVISION HEAD SIGNATURE:		COUNTY ADMINISTRATOR SIGNATURE:	
Approved:		DISTRIBUTION/FILING INSTRUCTIONS: Janelle McGlinchey, Employee Relations	
Denied:			
Tabled:			
Other:			
Deputy Clerk :			
Date:			

Background/Justification:

1. Amend separation for Dan Ekholm, FT Inspector, Planning and Resource Management Division, effective 04/17/20 (previously 05/01/20).

Fiscal Impact: N/A

AGENDA #6.1
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION
MEETING DATE: MAY 5, 2020

ORIGINATING DIVISION:	Administration	CONSENT AGENDA:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ORIGINATING DEPARTMENT:			
PRESENTER:	Lezlie Vermillion	ATTACHMENTS:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
PROJECT:		TIME REQUESTED:	15 minutes
ACTION REQUESTED:	Receive an Informational Update on the Operational Service Plans for County Operations During the COVID-19 Pandemic and the Opening of County Buildings		
CONTRACT/POLICY/GRANT:	<input type="checkbox"/> County Attorney Review <input type="checkbox"/> Risk Management Review	FISCAL:	<input type="checkbox"/> Finance Review <input type="checkbox"/> Budget Change

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- ☐ **Resiliency:** We will foster public preparedness and respond when families and communities face health and safety emergencies
- ☐ **Innovation:** We will take informed risks to deliver services more effectively and will learn from our successes and failures

DEPARTMENT/DIVISION HEAD SIGNATURE:	COUNTY ADMINISTRATOR SIGNATURE:
Approved:	DISTRIBUTION/FILING INSTRUCTIONS:
Denied:	
Tabled:	
Other:	
Deputy Clerk :	
Date:	

Background/Justification:

The purpose of the agenda item is to receive an informational update on the Operational Service Plans (Plans) for County operations during the COVID-19 pandemic and the opening of County buildings.

The Plans, prepared by all County Divisions, are consistent with the Center for Disease Control and Prevention (CDC) and Minnesota Department of Health (MDH) guidance for social distancing and protective gear, include specific critical services and priorities for service if there is a heavy absenteeism among the employees, and identify any technological or equipment needs. The Plans also identify minimum staffing needs for normal

operations down to critical only functions and current staff trained to perform functions as well as back up plans if an emergency arises. The Plans were presented to and approved by the County Board on March 31, 2020 by Resolution No. 2020-053.

Due to the COVID-19 pandemic, County buildings were closed to public access on March 17, 2020 until April 1, 2020. On March 31, 2020, the County Board approved extending the closure until at least May 3, 2020 by Resolution No. 2020-054. The extended closure is consistent with the Governor's message to social distance and no grouping of people.

Fiscal Impact:


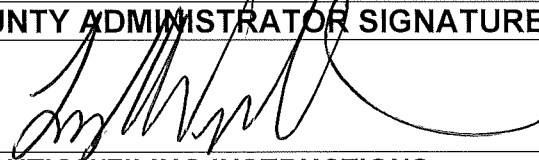
None

**AGENDA #ADD ON
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION
MEETING DATE: MAY 5, 2020**

ORIGINATING DIVISION: ORIGINATING DEPARTMENT:	Board of Commissioners	CONSENT AGENDA:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
PRESENTER:		ATTACHMENTS:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
PROJECT:		TIME REQUESTED:	15 Minutes
ACTION REQUESTED:	Receive Informational Update From Representative Brad Tabke and Senator Eric Pratt		
CONTRACT/POLICY/GRANT:	<input type="checkbox"/> County Attorney Review <input type="checkbox"/> Risk Management Review	FISCAL:	<input type="checkbox"/> Finance Review <input type="checkbox"/> Budget Change

ORGANIZATIONAL VALUES:

- ☐ **Customer Service:** We will deliver government services in a respectful, responsive, and solution-oriented manner
- ☐ **Communication:** We will always be clear about what we're doing and why we're doing it
- ☒ **Collaboration:** We will work with partners – communities, schools, faith groups, private business, and non-profit agencies – to see that services are not duplicated but rather are complimentary, aligned and provided by the partners who can deliver the service most effectively
- ☐ **Stewardship:** We will work proactively to make investments, guided by resident input, which will transform lives, communities, and government
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DEPARTMENT/DIVISION HEAD SIGNATURE:	COUNTY ADMINISTRATOR SIGNATURE:
	
Approved: Denied: Tabled: Other: <i>no action</i> Deputy Clerk : <i>[Signature]</i> Date: <i>5-5-2020</i>	DISTRIBUTION/FILING INSTRUCTIONS:

Background/Justification:

The purpose of the agenda item is to receive an informational update from Representative Brad Tabke and Senator Eric Pratt.

Information will be provided regarding the 2020 Minnesota Legislative Session.

Fiscal Impact: None.

**AGENDA #ADD ON
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION
MEETING DATE: MAY 5, 2020**

ORIGINATING DIVISION: ORIGINATING DEPARTMENT:	Administration	CONSENT AGENDA:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
PRESENTER:	Vermillion	ATTACHMENTS:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
PROJECT:		TIME REQUESTED:	10 Minutes
ACTION REQUESTED:	Consider Sending Letter to Governor Walz regarding Small Businesses		
CONTRACT/POLICY/GRANT:	<input type="checkbox"/> County Attorney Review <input type="checkbox"/> Risk Management Review	FISCAL:	<input type="checkbox"/> Finance Review <input type="checkbox"/> Budget Change

ORGANIZATIONAL VALUES:

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DEPARTMENT/DIVISION HEAD SIGNATURE:	COUNTY ADMINISTRATOR SIGNATURE:
Approved:	DISTRIBUTION/FILING INSTRUCTIONS:
Denied:	
Tabled:	
Other:	
Deputy Clerk :	
Date:	

Background/Justification:

The purpose of the agenda item is to consider sending letter to Governor Walz regarding small businesses.

Administrator Vermillion will present the draft letter for consideration and direction from the Board to send Governor Walz.

Fiscal Impact: None.



SCOTT COUNTY BOARD OF COMMISSIONERS

200 FOURTH AVENUE WEST · SHAKOPEE, MN 55379-1220
(952)496-8100 · Fax (952)496-8180 · www.scottcountymn.gov

BARB WECKMAN BREKKE, DISTRICT 1
TOM WOLF, DISTRICT 2
MICHAEL BEARD, DISTRICT 3
DAVE BEER, DISTRICT 4
JON ULRICH, DISTRICT 5

May 5, 2020

Honorable Governor Tim Walz
130 State Capitol
75 Rev Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155

Dear Governor Walz:

First, I want you to know I am praying the wisdom of Solomon over you and your administration. The counsel of a wise and discerning heart can be a trusted advisor always, but most certainly in times like this. I do firmly believe, as do you, that we will emerge from this challenge stronger and wiser for the long run, but not without much heartache and pain.

The reason for my communication today is this: Recently, the Prior Lake City Council made two requests that their city's restaurants and retail shops be allowed to open to the public, not just for limited curbside service. As a resident and an elected official also representing the City of Prior Lake, I encourage you to support the action of the Council. As you most certainly know, small businesses are at the heart and soul of our community. These owners and operators have come together and worked diligently to create plans that will meet the public safety needs of their employees as well as the visitors who *choose* to patronize their businesses.

Obviously, I don't need to restate the financial impacts that shuttering a business has on a family. You know this all too well already, and we both know it is crushing. But far beyond the financial implications, and in my humble opinion more importantly, are the emotional consequences that have been thrust upon these business owners *and* their families. If the writing of old is true when it says work is a gift from God (and I, for one, believe it is), when then this opportunity is taken away, it strikes at the very being of these families and the families they seek to employ. When this sense of worth and well-being is stripped away -- and compounded by ever-present bills that don't stop -- it adds exponentially to the growing emotional, spiritual, and mental health impact.

I believe Main Street businesses in Prior Lake, as well as many other areas, could and can reopen safely and responsibly. I also believe *smart opening* these small businesses will quell the pressure felt by so many when they see "big box" stores filled to capacity. I absolutely want to honor the work our front-line heroes have done and continue to do. I believe that the best way to do this is by beginning to smart open small businesses and continue to fight the virus as we are doing. We are at a point where people can't be sequestered much longer, and we must begin to thoughtfully reclaim the public square and bring this fight and life to the virus on two fronts at once. Please keep in mind many of these small operations could not host large enough gatherings where social distancing and appropriate protocols would become unenforceable. Moreover, after a carefully planned reopening, people can exercise their own discretion and make their own decisions as to their own choice to enter (or not enter), and I trust their judgement.

The weight of the decisions you have made must be burdensome as you balance the pros and cons of and the impacts they have on humanity. I encourage you to look to other elected bodies, like the Prior Lake City Council, to assume some of the weight of these decisions. Please consider these Main Street businesses and consider allowing them to smartly reopen. I believe this City Council and these local businesses can be trusted to protect our neighbors and their neighbors can be trusted to choose to visit, or to not.

Thank you for your consideration.

Respectfully,

Commissioner Dave Beer
Scott County Board Chair

In support of the Chair's letter

Commissioner Barbara Weckman Brekke
Commissioner District 1

Commissioner Tom Wolf
Commissioner District 2

Commissioner Michael Beard
Commissioner District 3

Commissioner Jon Ulrich
Commissioner District 5

cc: Prior Lake Mayor Kirt Briggs
Scott County Board of Commissioners